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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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150 STREET CORP.,	:	08-CV-1540
	:	(GBS) (KNF)
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	AFFIDAVIT
LOCAL 272 WELFARE FUND,	:	<u>OF FACT</u>
	:	
Defendant.	:	
-----X		

STATE OF NEW YORK)
) ss.:
 COUNTY OF QUEENS)

STANLEY J. ZAWADA, D.P.M., being duly sworn, deposes and says:

1. I am the prospective co-plaintiff in the instant action, and I am over eighteen years of age. The facts set forth in this affidavit are based upon my personal knowledge, as well as my review and examination of my business and medical records relating to the facts which underlie this action.

2. I make this affidavit in support of the plaintiff's instant motion for leave: (i) to amend its summons and complaint in the instant action; (ii) to add me as a co-plaintiff in the instant action, and (iii) for such other and further relief which this Court deems just and proper.

3. This is an action which seeks to recover amounts which are due and owing by reason of medical services provided by me and were billed by plaintiff 150 STREET CORP. and not paid by the defendant as required.

4. I am a podiatrist licensed to practice podiatric medicine and surgery in the State of New York.

5. Between April 16, 2004 and April 21, 2006, at Jorge and Cecilia Davalos' request, I provided various podiatric and/or medical services to and for the benefit of Jorge Davalos and Cecilia Davalos, which services had a reasonable value of \$51,271.75.

6. I have authorized 150 STREET CORP. to perform all of the billing and collection activities in connection with the podiatric and/or medical services which were provided by me to Jorge and Cecilia Davalos.

7. In fact, 150 STREET CORP. performs all of the billing, collection, and bookkeeping services for me with regard to my entire practice.

8. Jorge and Cecilia Davalos have assigned to 150 STREET CORP. and me all of their right and interest to receive payment and/or reimbursement from the defendant for the podiatric and/or medical services provided by me.

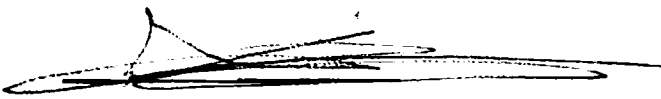
9. Within ninety (90) days after I furnished said services to the Davalos, 150 STREET CORP. filed written claims and demanded payment and reimbursement from the defendant for the services provided by me to Jorge Davalos and Cecilia Davalos, but the defendant has failed to pay and/or reimburse the plaintiff or me for the services rendered.

WHEREFORE, plaintiff respectfully requests that the Court grant the instant motion in its entirety, that the Court grant plaintiff leave to amend its pleadings and add me as a co-plaintiff to the instant action, and that the Court grant the plaintiff such other and further relief as this Court deems just and proper.



STANLEY J. ZAWADA, D.P.M.

Sworn to before me this
5th day of June, 2008



GEORGE KOSNIK
Notary Public, State of New York
No. 01KO4960493
Qualified in Queens County
Commission Expires December 26, 2009